

REMARKS

Claim Status

Claims 1-38 are currently pending. Reconsideration of the application is respectfully requested in light of the following remarks.

Patentability of the Claims under 35 U.S.C. §112, first Paragraph

Claims 1-38 stand rejected under 35 U.S.C. §112, 1st Paragraph, as failing to comply with the written description requirement. Specifically, the Examiner has stated that the term “an optimal phase” in line 5 of claim 1, and the term “the optimal phase” in line 8 of claim 19 and line 6 of claim 37 are not supported in the specification. According to the Examiner, “[t]he specification does mention ‘An optimal sampling frequency’ on page 1, line 27. However, the specification does not disclose ‘the optimal phase’ as [recited in] claims 1, 19 and 37.”

However, Applicants respectfully assert that the term “optimal phase” is supported by the specification. The wording at the bottom of pg. 20 of the originally-filed specification, i.e., “Repeat steps 1 + 2 until the ideal phase for output 1 has been determined”, supports the word “optimal”. In addition, “optimal phase” is supported by the wording at pg. 21 of the originally-filed specification, i.e., “repeat steps 4 + 5 until the ideal phase for output 2 has been determined”. The definition for “ideal” given in Webster’s New Collegiate Dictionary is “perfect.”

Support for “optimal phase” is also be found at pg. 13, line 17 of the originally-filed specification, wherein it is stated that “the phase of the pixel clock must be shifted in order to determine the most favorable of the phase positions.” The definition for “optimal” given in Webster’s New Collegiate Dictionary is “most desirable or satisfactory.” The definition for “optimum” is “the amount or degree of something that is most favorable to some end.”

The plain meaning of each of the foregoing portions of the specification convey to one ordinarily skilled in the art that the inventors, at the time the application was filed, had possession of the claimed invention which includes determining an optimal phase difference, namely that the phase difference is perfect or most favorable under the circumstances. In view of the foregoing, Applicants respectfully assert that "optimal phase" is well supported by the specification and, thus, reconsideration and withdrawal of the rejection under 35 U.S.C. §112, first paragraph are respectfully requested.

According to MPEP section 608.01(0):

"New claims and amendments to the claims already in the application should be scrutinized not only for new matter but also for new terminology. While an applicant is not limited to the nomenclature used in the application as filed, he or she should make appropriate amendment of the specification whenever this nomenclature is departed from by amendment of the claims so as to have clear support or antecedent basis in the specification for the new terms appearing in the claims. This is necessary in order to insure certainty in construing the claims in the light of the specification."

Applicant is willing to cooperate with the Examiner to "make appropriate amendment of the specification" to explicitly include the word "optimal" if the Examiner so wishes.

Patentability of the Claims under 35 U.S.C. §102

Claims 1-17, 19-20, 25-28, 31-34 and 36-38 stand rejected under 35 U.S.C. §102(b) as being anticipated by WO 98/25401 ("West"). For the following reasons, Applicants respectfully assert that all claims of the present application are patentable over the cited reference. Independent method claims 1, 37 and 38 include the step of "performing an automatic adjustment of the optimal phase difference repeatedly during continued operation of the display to compensate for phase drift during the continued operation of the display by providing an updated optimal phase difference".

West relates to a method for producing a digital video signal from an analog video signal, wherein the digital video signal is produced by generating a pixel clock signal (20) with pixel clocks for repetitively sampling instantaneous values of the analog video data signal and digitizing (24) the analog signal based on the pixel clock sampling (see Abstract, lines 1-3). However, *West* fails to teach the step of “performing an automatic adjustment of the optimal phase difference repeatedly during continued operation of the display to compensate for phase drift during the continued operation of the display by providing an updated optimal phase difference”, as recited in independent method claims 1, 37 and 38. *West* only teaches the frequency setting between the pixel clock of a graphics card and the sampling clock of a flat panel display.

With reference to Fig. 6B, *West* teaches that all further adjustments are terminated once “expected image width E” equals the “actual image width W”. At reference numeral 174, for example, $W = 640$ and the resolution was initially set at 640×480 . Hence, *West* teaches that an adjustment is not needed. More significantly, the method of *West* is then terminated and the adjustment of the settings is complete (see pg. 15, at line 20, “Thus, the phase is set...”). Consequently, *West* fails to teach or suggest the step of “performing an automatic adjustment of the optimal phase difference repeatedly during continued operation of the display to compensate for phase drift during the continued operation of the display by providing an updated optimal phase difference”, as recited in independent method claims 1, 37 and 38. In view of the foregoing, reconsideration and withdrawal of the rejection under 35 U.S.C. §102 are in order and, thus, a notice to that effect is earnestly solicited.

Independent claim 19 is a device claim that includes features corresponding to distinctive features of method claims 1, 37 and 38. Therefore, claim 19 is patentable over *West* for reasons set forth above.

Patentability of the Claims under 35 U.S.C. §103

Claims 18, 21-24, 29, 30 and 35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over WO 98/25401 (“*West*”) in view U.S. Patent No. 4,996,596 (“*Hirao*”). For the following reasons, Applicants respectfully assert that all claims of the present application are patentable over the combination of the cited references.

Hirao relates to “a circuit and a method for establishing phase synchronization of a horizontal synchronization signal, which is used in a video signal receiver, such as a TV, a liquid crystal display television receiver or a video tape recorder” (see col. 1, lines 10-15). *Hirao* fails to cure the above-discussed deficiencies of *West*. Specifically, *Hirao* also fails to teach or suggest the step of “performing an automatic adjustment of the optimal phase difference repeatedly during continued operation of the display to compensate for phase drift during the continued operation of the display by providing an updated optimal phase difference”. Consequently, reconsideration and withdrawal of the rejections under 35 U.S.C. §103 are in order, and a notice to that effect is earnestly solicited.

Dependent claims

In view of the patentability of independent claims 1, 19, 37 and 38, for the reasons presented above, each of dependent claims 2-18 and 20-36 is patentable over the prior art along with the independent claim from which it depends.

Conclusion

Based on all of the above, it is respectfully submitted that the present application is now in proper condition for allowance. Prompt and favorable action to this effect and early passing of this application to issue are respectfully solicited.

Should the Examiner have any comments, questions, suggestions or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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